

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NEXTGEAR CAPITAL, INC., and WESTLAKE §
FLOORING COMPANY, LLC, §

Plaintiffs, §

vs. §

DEALERS CREDIT EXPRESS, INC., §

Defendant. §

Civil Action No.:3:17-CV-1012-M

ORDER OF REFERRAL FOR MEDIATION

M. Beth Krugler, JD, MS, 306 West Broadway Ave., Fort Worth, Texas 76104 (Ph: 817/377-8081, Fax: 817/377-8082) is appointed Mediator. All counsel are directed to contact the mediator as soon as possible.

The mediation will be governed by Section III.D - G of the Court's Civil Justice Expense and Delay Reduction Plan.

The Mediator is expected to follow the 2005 Model Standards of Conduct for Mediators, which have been adopted by the American Bar Association, the American Arbitrator Association, and The Association for Conflict Resolution. The Standards may be accessed at www.abanet.org/dispute. If there are any parts of the Model Standards that the Mediator believes the Mediator cannot satisfy, the Mediator shall promptly notify the Court.

Fees for the mediation are to be divided and borne equally by the parties unless agreed otherwise, shall be paid by the parties directly to the Mediator, and shall be taxed as costs.

No subpoenas, summons, citations, or other process shall be served at or near the location of any mediation session, upon any person entering, leaving, or attending any mediation session.

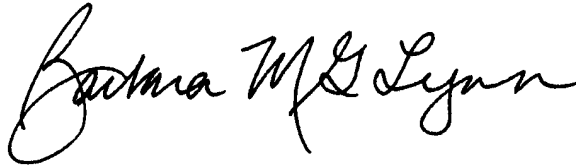
Counsel and parties shall proceed in a good faith effort to resolve this case and shall agree upon a date for mediation **to be completed by April 16, 2018.**

At the conclusion of the mediation, the Mediator will complete and file with the District Clerk the information required by § III.G of the Court's Civil Justice Expense and Delay Reduction Plan. See form attached.

This case is set for a jury trial on the Court's two-week docket beginning June 18, 2018, at 9:00 a.m. Referral to mediation is not a substitute for trial and the case will be tried if not settled.

SO ORDERED.

DATED: August 21, 2017.

A handwritten signature in black ink, reading "Barbara M. G. Lynn". The signature is fluid and cursive, with the first name "Barbara" being the most prominent part.

BARBARA M. G. LYNN
CHIEF JUDGE